

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 30 2011 ★

UNITED STATES OF AMERICA
Plaintiff/Respondent

v.

CHARLES CARNEGLIA
Defendant/Petitioner

BROOKLYN OFFICE

Case No. CV-11-4181 (JBW)

Crim. No. 08-CR-76 (JBW)

Judge Jack B. Weinstein

AFFIDAVIT IN SUPPORT OF MOTION TO COMPEL
YOUR PETITIONER'S ATTORNEYS TO FILE AN AFFIDAVIT

STATE OF PENNSYLVANIA }
COUNTY OF WAYNE } ss:
TOWN OF WAYMART }

I, Charles Carneglia, being duly sworn, deposes and says:

1. I am the defendant in the above-captioned case and have personal knowledge of the facts set forth in this affidavit.
2. This affidavit is submitted in support of petitioner's motion to compel Kelley Sharkey, Curtis Farber and Beverly Van Ness to file an "affidavit" with the Court pursuant to, Sparman v. Edwards, 154 F.3d 51,52 (2d Cir. 1998), responding to petitioner's §2255 Motion by October 30th 2011.
3. The time schedule requested in this motion--is in the nature of mandamus--is being filed in an effort to accelerate and expedite these proceedings, coupled...with the substantial constitutional questions raised in your petitioner's §2255 support the granting of this motion.

CONCLUSION

WHEREFORE, your petitioner respectfully requests that this Court grant this motion directing Kelley Sharkey, Curtis J. Farber and Beverly Van Ness to file an affidavit with the Court responding to petitioner's allegations in his §2255 Motion by October 30, 2011 and for such other and further relief that this Court may deem just and proper.

Respectfully submitted,

Res. CARNAGLIA, CHARLES

Pursuant to Title 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Res. CARNAGLIA, CHARLES

Charles Carnaglia
Reg. #08773-016
U.S.P. Canaan
P.O. Box 300
Waymart, Pa. 18472